

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RICARDO CHAVEZ MENDOZA,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:13-CV-627
	)	
DENNIS DANIELS,	)	
	)	
Respondent.	)	

**ORDER**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on August 20, 2013, was served on the petitioner.

While Petitioner timely filed an objection to the Recommendation, (Doc. 9), that objection was not specific. Nonetheless, the Court has reviewed the entirety of the Magistrate Judge's report and has made a de novo determination which is in accord with the Magistrate Judge's recommendation. The petition does not include all of the information needed to process it, and the petitioner has not explained why he should not have to comply with the relevant rules. The Court adopts the Magistrate Judge's Recommendation in full.

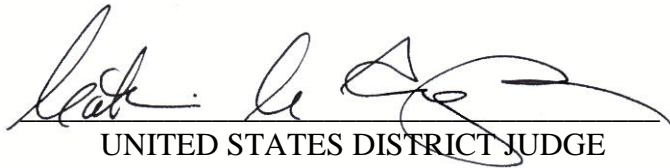
Petitioner also filed a Motion to Join Dennis Daniels the Respondent as Third Party Respondent to this Action. (Doc. 10.) In light of the Court's adoption of the Magistrate Judge's Recommendation, that motion is denied as moot.

**IT IS THEREFORE ORDERED** that this action is filed, but then dismissed *sua sponte* without prejudice to Petitioner filing a new petition which corrects the defects of the current Petition. A Judgment dismissing this action will be entered contemporaneously with this Order.

**IT IS FURTHER ORDERED** that Petitioner's Motion to Join Dennis Daniels the Respondent as Third Party Respondent to this Action is **DENIED AS MOOT**.

A certificate of appealability will not issue.

This the 19th day of September, 2013.



UNITED STATES DISTRICT JUDGE